

**BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2023, LEGISLATIVE DAY NO. 20
November 6, 2023 6:00 P.M.**

A. The meeting was called to order by Chairman Jones at 6:09 P.M. The Chairman asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 50 persons in attendance. The following Councilmembers were present:

PAT YOUNG
IZZY PATOKA
WADE KACH
JULIAN E. JONES
DAVID MARKS
MICHAEL ERTEL
TODD CRANDELL

FIRST DISTRICT
SECOND DISTRICT
THIRD DISTRICT
FOURTH DISTRICT
FIFTH DISTRICT
SIXTH DISTRICT
SEVENTH DISTRICT

B. APPROVAL OF JOURNAL

Upon motion by Councilman Marks, seconded by Councilman Crandell, the reading of the Journal Entries for the meeting of October 16, 2023 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

The Chairman stated that the following Bills were passed by the County Council and signed by the County Executive. He certified and delivered to the Secretary, Bills 67-23, 68-23, 69-23, 70-23, 72-23, 74-23 and 76-23.

Before continuing with the remaining items on the Agenda, the Chairman directed the Secretary to present a Special Council Resolution to Mr. Paul M. Mayhew, who was retiring as Managing Administrative Law Judge with the Office of Administrative Hearings after 26 years of overall service to Baltimore County. The Secretary read the Resolution. Mr. Mayhew commented, followed by a round of applause from the persons in attendance.

H. MISCELLANEOUS BUSINESS

3. Appointment – Chief Administrative Law Judge – Maureen Murphy

At the direction of the Chairman, the Secretary read this correspondence from the County Executive requesting the appointment of Maureen Murphy to serve as Chief Administrative Law Judge. Paul Mayhew, the current Chief Administrative Law Judge, is retiring from County service. There being no discussion, upon motion by Councilman Ertel, seconded by Councilman Jones, this appointment was unanimously approved.

4. Appointment – Administrative Law Judge – Derek Baumgardner

At the direction of the Chairman, the Secretary read this correspondence from the County Executive requesting the appointment of Derek Baumgardner to serve as Administrative Law Judge. There being no discussion, upon motion by Councilman Young, seconded by Councilman Kach, this appointment was unanimously approved.

5. Appointment – Administrative Law Judge – Andrew Belt

At the direction of the Chairman, the Secretary read this correspondence from the County Executive requesting the appointment of Andrew Belt to serve as Administrative Law Judge. There being no discussion, upon motion by Councilman Ertel, seconded by Councilman Kach, this appointment was unanimously approved.

D. INTRODUCTION OF BILLS

Bill 83-23 entitled An Act for the purpose of amending the County Charter to provide that staff of the Office of Inspector General are exempt service employees; providing the Inspector General with subpoena power; establishing the Office of the Inspector General in the County Charter; providing for the appointment of an Inspector General; establishing a term of office for the Inspector General; providing for the reappointment of the Inspector General; setting qualifications for the Inspector General; providing for the removal of the Inspector General under certain circumstances; providing for the staff of the Office and its supervision; providing that staff of the Office of Inspector General are County employees and subject to County personnel laws; providing that the Office shall be funded as a separate budget entity; providing for the continuity of terms of certain officials, the status of certain transactions and employees, rights, titles, and interests; and generally relating to the Office of the Inspector General.

Bill 84-23 entitled An Act for the purpose of clarifying the purpose of the Office of the Inspector General; setting the terms of the Inspector General; providing that staff of the Office of Inspector General are County employees and subject to County personnel laws; ensuring the Office of the Inspector General is adequately funded; providing access to independent legal counsel; requiring the Office of the Inspector General to ensure its policies and procedures are published on the County website; requiring the Inspector General to provide an annual training to elected and public officials; requiring recipients of a subpoena to comply within 30 days; and generally relating the Office of the Inspector General.

Bill 85-23 entitled An Act for the purpose of requiring that certain signs posted on a property regarding certain development hearings be double-sided and placed within view of and perpendicular to a public road where possible; making certain technical corrections regarding numbers; and generally relating to posting notice of on a property.

Bill 86-23 entitled An Act for the purpose of moving certain vehicle parking limitations on private property in the Greater Towson area and under certain circumstances from the County Code to the Baltimore County Zoning Regulations; expanding the applicability of such parking limitations on private property to apply county-wide; and generally relating to parking.

Bill 87-23 entitled An Act for the purpose of requiring a landlord to notify the County in writing of the occupancy status of a licensed dwelling unit; requiring the notice to contain certain information of the occupants; instituting a continuing obligation of a rental housing licensee to update the County regarding changes to occupant information provided to the County; requiring that certain information collected be confidential unless disclosure is otherwise required under State law; establishing that intentionally providing false or misleading information regarding certain occupant information is grounds for the denial, suspension, or revocation of a rental license; and generally relating to rental housing.

Bill 88-23 entitled An Act for the purpose of permitting the conversion of former landfill sits to sustainable plastics recycling facilities; and generally relating to uses permitted in the R.C. 50 Zone.

Bill 89-23 entitled An Act for the purpose requiring the Chief of Police or the Director of the Department of Permits, Approvals, and Inspections to tow a vehicle parked on a road or alley that prevents or impedes the free passage of another vehicle, without attempting certain notifications; and generally relating to stopping, standing, or parking a vehicle.

E. VETOED BILLS

Bill 71-23, Bring Your Own Bag Act – Reusable Carryout Bag Definition, was called. The Secretary stated that on October 16, 2023, the County Council passed Bill 71-23. On October 17, 2023, the bill was presented to the County Executive for his approval or disapproval. On October 25, 2023, the County Executive returned Bill 71-23 with his executive veto, which included a letter stating his reasons for not approving the bill. Sec. 308(g) of the County Charter states that any such legislation presented to the County Executive and returned with his veto may be reconsidered by the County Council not later than at its next regular session. A vote of a majority plus one of the seven Councilmembers will override the veto and allow the legislation to stand enacted. Councilmembers Young and Jones commented. There being no further discussion, upon motion by Councilman Young to override the executive veto, seconded by Councilman Crandell, the motion failed by the following roll call vote:

Aye - Young, Jones, Crandell
Nay – Patoka, Kach, Marks, Ertel

Bill 73-23, Bring Your Own Bag Act – Liquor Store Exemption, was called. The Secretary stated that on October 16, 2023, the County Council passed Bill 73-23. On October 17, 2023, the bill was presented to the County Executive for his approval or disapproval. On October 25, 2023, the County Executive returned Bill 73-23 with his executive veto, which included a letter stating his reasons for not approving the bill. Sec. 308(g) of the County Charter states that any such legislation presented to the County Executive and returned with his veto may be reconsidered by the County Council not later than at its next regular session. A vote of a majority plus one of the seven Councilmembers will override the veto and allow the legislation to stand enacted. Councilman Jones commented. There being no further discussion, upon motion by Councilman Jones to override the executive veto, seconded by Councilman Crandell, the motion passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel, Crandell
Nay – None

F. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 77-23, CEB – Assistance to Firefighters, was called. Danielle Knatz testified. There being no discussion, this Bill passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel, Crandell
Nay – None

Bill 78-23, Semi-Public Swimming Pools, was called. Lawrence Richardson testified. Councilmembers Jones and Kach questioned Mr. Richardson. There being no further discussion, this Bill passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel, Crandell
Nay – None

Bill 79-23, Zoning Regs. – Uses Permitted – C.B. Zone – Community Building, was called. Councilman Ertel commented. There being no further discussion, this Bill passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel, Crandell
Nay – None

Bill 80-23, Zoning Regs. – Community Building Use in the B.L. Zone, was called. Councilman Marks commented. There being no further discussion, this Bill passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel, Crandell
Nay – None

G. APPROVAL OF FISCAL MATTERS

The Chairman stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council’s work session on October 31, 2023. The witnesses who testified at the work session were available to restate their testimony if needed. If a Councilmember had any questions regarding a particular Fiscal Matter, that item would be discussed as a separate matter. Chairman Jones then called upon the Secretary to read the cover letters for Fiscal Matters 1 and 3 through 8. Fiscal Matter 2 was withdrawn prior to the meeting.

1. Contract – Lardner/Klein Landscape Architects, P.C. – Trail design services – Oregon Ridge Park - DRP

A contract with Lardner/Klein Landscape Architects, P.C., to provide trail design services for Oregon Ridge Park in Baltimore County.

2. Contract – Harnden Group, LLC – On-call landfill gas services – Eastern Sanitary Landfill – DPWT

This Fiscal Matter was withdrawn prior to the meeting.

3. Contract – Maryland Association of Nonprofit Organizations-technical assistance-community based orgs./ARPA subrecipients-DP

A contract with Maryland Association of Nonprofit Organizations, to provide technical assistance capabilities to the County's community based organizations and American Rescue Plan Act subrecipients, to increase financial and human capital management capabilities.

4. Contract of Sale – Cross Creek Associates Limited Partnership – Acquisition of parcel – 1 Duke of Windsor Court, 21207 – REC

A contract of sale with Cross Creek Associates Limited Partnership, to acquire a parcel of land, located at 1 Duke of Windsor Court. Lochearn, Maryland 21207, for the Windsor Mill Project.

5. Contract of Sale – David & Mary Ann Himmelmann – Acquisition of parcel – 6715½ Windsor Mill Road, 21207 – REC

A contract of sale with David and Mary Ann Himmelmann, to acquire a parcel of land, located at 6715 ½ Windsor Mill Road, Maryland 21207, for the Windsor Mill Project.

6. Contract of Sale – David Himmelmann – Acquisition of parcel - 6719 Windsor Mill Road, 21207 – REC

A contract of sale with David Himmelmann, to acquire a parcel of land, located at 6719 Windsor Mill Road, Maryland 21207, for the Windsor Mill Project.

7. Contract – SEAM Group, LLC – On-site NFPA 70E Electrical/Arc Flash Safety Training – electrical personnel – PM

A contract with SEAM Group, LLC, to provide complete on-site current NFPA 70 E Electrical/Arc Flash Safety Training for Baltimore County Government electrical personnel.

8. Contracts – (3) – On-call plumbing services – PM

Three contracts to provide all labor, engineering materials, tools, equipment and supervision for on-call plumbing services.

There being no discussion, upon motion by Councilman Patoka, seconded by Councilman Kach, Fiscal Matters 1 and 3 through 8 were unanimously approved.

H. MISCELLANEOUS BUSINESS

1. Correspondence - Non-Competitive Awards

At the direction of Chairman, the Secretary read the correspondence from the Office of Budget and Finance listing the non-competitive awards made during October, 2023.

2. **Res. 33-23 – MDE – Historic East Towson – Environmental Impact of Herring Run Headwaters**

At the direction of the Chairman, the Secretary read this Resolution of the Baltimore County Council encouraging the Maryland Department of the Environment to study the potential adverse environmental impact of further development along the headwaters of the Herring Run watershed in Historic East Towson to prevent the continued environmental injustice impacting this historically African American community. Councilmembers Ertel, Kach, Patoka and Marks commented. Councilman Marks then moved to amend this Resolution with the following amendments:

1. On page 2, in the first line of the last WHEREAS clause, after “Towson” insert “, bounded by East Joppa Road to the north, East Pennsylvania Avenue to the south, Fairmount Avenue to the west, and McManus Way to the east, and generally”; in the second line, after “located at” insert “or near”.
2. On page 3, after the first resolution paragraph, insert the following:
“BE IT FURTHER RESOLVED, that the Maryland Department of Environment is specifically encouraged to: (1) evaluate current flooding risks to existing homes downstream of the Herring Run headwaters; (2) review the flood management plan for the Historic East Towson community, or, if none exists, draft such a flood management plan; and (3) perform a comprehensive watershed study for the Historic East Towson community and Herring Run headwaters; and”

Councilman Kach seconded the motion and these amendments passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel, Crandell
Nay – None


Thereafter, upon motion by Councilman Marks, seconded by Councilman Kach, Resolution 33-23, as amended, passed by the following roll call vote:

Aye - Young, Patoka, Kach, Jones, Marks, Ertel, Crandell
Nay – None

6. **Res. 34-23 – Baltimore County Water Supply and Sewerage Plan – Amendment Cycle 41**

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Crandell, seconded by Councilman Ertel, the meeting was adjourned at 7:06 P.M.


Thomas H. Bostwick
Legislative Counsel/Secretary